

1 DIEMER, WHITMAN & CARDOSI, LLP  
JUDITH L. WHITMAN, #103385  
2 75 East Santa Clara Street, Suite 290  
San Jose, California 95113  
3 Telephone: (408) 971-6270  
Facsimile: (408) 971-6271  
4

5 ATTORNEYS FOR  
MARK KESEL  
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8 UNITED STATES BANKRUPTCY COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
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11 In re:	)	Case No. 10-41653 RJN
12 MARK KESEL	)	CHAPTER 11
13 Debtor.	)	
14	)	Date:
15	)	Time:
16	)	Place: 1300 Clay Street
17	)	Courtroom 220
	)	Oakland, CA 94612
	)	Judge: Randall J. Newsome

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19 **DECLARATION OF JACOB OBOLSKY IN SUPPORT OF THE APPLICATION TO**  
20 **EMPLOY JEFFREY I. KAPLAN OF KAPLAN GILMAN & PERGAMENT, LLP AS**  
21 **SPECIAL COUNSEL FOR DEBTOR UNDER 11 U.S.C. 327(e)**

22 I, Jacob Obolsky, declare as follows:

- 23 1. I am a member and Vice President of ADEM, LLC. The other members of ADEM, LLC  
are Valery Sokolsky and Boris Kesil. Each of us holds a one-third interest in ADEM, LLC.
- 24 2. Mr. Sokolsky and I have known Mr. Kesil for many years and we know him to be an  
25 honest, trustworthy and honorable person. We were shocked and disappointed when the  
26 Applied Materials judgment was entered against him. We believe this judgment is incorrect,  
27 unfair and a terrible miscarriage of justice. For those reasons, we authorized ADEM, LLC to  
28 contribute funds to retain attorney Jeffrey Kaplan to represent Mr. Kesil and his co-defendants,

1 Mark Kesel, Elik Gershenzon and Multimetrixx, LLC, to appeal this judgment in the Federal  
2 Circuit Court.

3 3. To date, ADEM, LLC has contributed the sum of \$36,777.69 for Mr. Kaplan to prosecute  
4 this appeal. ADEM, LLC contributed these funds to retain Mr. Kaplan out of concern and  
5 respect for our friend and colleague, Boris Kesil. ADEM, LLC has no expectation and no  
6 intention of being repaid all or any part of these funds.

7 I declare under penalty of perjury under the laws of the United States that the foregoing is  
8 true and correct.

9 Executed this 29<sup>th</sup> day of April, 2010 at San Jose, California.

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12 /s/ Jacob Obolsky  
13 Jacob Obolsky  
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